

The opinion in support of the decision being entered today is *not* binding  
precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DAVID K. BRAVERMAN

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Appeal 2007-1409  
Application 09/823,626  
Technology Center 2100

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Decided: June 28, 2007

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Before ANITA PELLMAN GROSS, ALLEN R. MacDONALD, and  
ROBERT E. NAPPI, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 6(b) of the Final  
Rejection of claims 1 through 34. For the reasons stated *infra*, we will not  
sustain the Examiner's rejection of these claims.

## INVENTION

The invention is directed to an e-billing system which allows sales representatives to manage and track their e-billing customers. The sales representatives can use the system to access their customer's invoices. The system also provides the sales representatives with an option that enables them to receive e-mail notification if a customer signs up for or has been deleted from e-billing. See paragraphs [06] and [07] of Appellant's Specification. Claim 1 is representative of the invention and is reproduced below:

1. A method for providing an on-line billing system, the method comprising:

storing account information of a plurality of customers in a database, the account information including information for associating each of the plurality of customers with a particular agent among a plurality of agents;

generating a list of customer accounts corresponding to the particular agent from the account information;

displaying the list via a web browser to the particular agent;

detecting an event that changes an association between one of the customers and the particular agent;

determining whether the particular agent has enabled notification of account changes; and

in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent.

## REFERENCES

The references relied upon by the Examiner are:

Tabb	US 5,787,416	Jul. 28, 1998
Perell	US 2001/0047347 A1	Nov. 29, 2001 (filed Dec. 4, 2000)
Woloshin	US 2002/0026410 A1	Feb. 28, 2002 (filed Mar. 1, 2001)
Gifford	US 2002/0131561 A1	Sep. 19, 2002 (filed May 6, 1999)

## REJECTION AT ISSUE

Claims 1 through 28 and 30 through 33 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Tabb in view of Woloshin and Gifford.

Claims 29 and 34 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Tabb in view of Woloshin and Gifford and Perell.

## ISSUES

Appellant contends that the Examiner's rejections under 35 U.S.C. § 103(a) are in error. Appellant asserts that neither Tabb, Woloshin, nor Gifford individually or in combination teaches the claimed feature of generating an electronic mail message in response to "determining that the particular agent has enabled notification of account changes." (Br. 12.) Appellant asserts that Gifford, the reference that the Examiner relied upon to teach this feature, is concerned with providing an e-mail message to signal receipt of a non-literal single media message (i.e. voicemail, facsimile, or video clip) and not with providing an e-mail in response to detecting an event that changes an association between a customer and a

particular agent and detecting whether an agent has enabled an event notification feature. (Br. 14, 15 and Reply Br. 3.)

The Examiner asserts that the rejection is proper. The Examiner asserts that paragraphs [0155] and [0156] of Gifford teach the limitation “determining whether the particular agent has enabled notification of account changes; and in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event and sending the electronic mail message to the particular agent” (Answer 10-11.)

Thus, the issue before us is whether the combination of Tabb, Woloshin, and Gifford suggests the limitation of “determining whether the particular agent has enabled notification of account changes; and in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an e-mail” as recited in the independent claims.

### FINDINGS OF FACT

Tabb teaches a system which uses a relational database to generate reports with hypertext links. Abstract. The hypertext links are used to identify relations between the data in one report and data in another report. (Col. 3, ll. 39-46.) The system allows for the generation of shorter reports, wherein a user viewing the report can select a hyperlink to access further information (drill down) contained in the linked report. (Col. 3, ll. 53-66.) One use of the system is to present sales data as related to a sales representative. The system improves upon the prior art wherein several

sales data reports organized by sales representative would be generated to show sales by providing one report where the hyperlinks are used to show the various aspects of sales. (Col. 17, l. 48- Col. 18, l. 5, and Col. 20 ll. 30-49.) Tabb's disclosure does not include a teaching directed to determining the occurrence of an event or enabling e-mail notification of the occurrence of an event.

Woloshin teaches a system for paperless approval of electronic commerce accounts. Abstract. The system allows a merchant to sign up to become an online merchant. The merchant completes an online application on the web site of a partner, an entity that enables online merchants. Para. [0018]. When the merchant completes the application, three e-mails are created, one to the merchant, one to the partner, and one to the merchant service provider's sales representative. Para. [0020]. While Woloshin does teach e-mail notification of a change in status between a customer and sales representative, receiving a merchant's application Woloshin does not teach that the sales representative has the option of whether or not to receive the e-mail (i.e. there is no disclosed feature to enable or disable e-mail notification).

Gifford teaches a system that allows a subscriber to receive e-mail notification of receipt of non-literal communications such as voice mail or facsimile. Abstract. Upon receiving a non-literal message the system determines whether the subscriber has enabled notification and if the subscriber has elected to receive an enriched e-mail notification (an e-mail with a link to the non-literal communication). If the subscriber enabled e-mail notification the system then sends an e-mail to (non-enriched or

enriched) to the subscriber. See flow chart figure 5 and paragraphs [153]-[154]. Gifford also teaches that the system can be used by a brokerage company to notify clients of changes in the market wherein the e-mail is enriched with a link to forms for the purchase or sale of stock. Para. [0028]. Thus, Gifford teaches a system where a subscriber can enable e-mail notifications of non-literal communications and enable enriched e-mail notifications. However, Gifford does not teach that the subscriber can enable e-mail notification of content specific e-mail (i.e. enable e-mail “describing the [detected] event” as recited in claim 1).

#### ANALYSIS

We disagree with the Examiner’s rationale. Independent claim 1 recites “detecting an event that changes an association between one of the customers and the particular agent; determining whether the particular agent has enabled notification of account changes; and in response to detecting the event and determining that the particular agent has enabled notification of account changes, generating an electronic mail message describing the event.” Independent claims 6, 11, 16, 21, 26, and 32 recite similar limitations. Thus, the scope of the independent claims includes generating an e-mail describing an event if both the determining and the detecting steps are met. Further, the scope of claim 1 is limited to the e-mail providing notification of the detected event. Independent claims 6, 11, 16, 21, 26, and 32 recite similar limitations.

We do not find that that the combination of the references makes obvious generating an e-mail if both a change in account status is detected and it is determined that the agent associated with the account has enabled a

notification of account changes. As discussed in our findings of facts Gifford teaches determining whether a user has enabled a feature to receive e-mail notification of non e-mail communications such as facsimiles, voice mails etc. Thus, the notification enabled in Gifford is for all communications received via a non-literal means, or for receipt of enriched e-mail. Gifford does not teach describing an event and does not teach that the non-literal communications represent an event that changes an association between a customer and a particular agent. Similarly, we do not find that Tabb's teaching of generating hypertext linked reports suggests enabling e-mail notification. Nor do we find that Woloshin's teaching of automatically receiving e-mail notification provides a teaching or suggestion to enable or disable e-mail notification. Thus, we do not find that the combination of Tabb, Woloshin, and Gifford teaches or suggests a feature of enabling event description e-mail notification of an event that changes an association between a customer and an agent if the event is detected and the agent has enabled the e-mail notification, as claimed in independent claims 1, 6, 11, 16, 21, 26, and 32. Accordingly, we will reverse the Examiner's rejection of claims 1 through 28 and 30 through 33 under 35 U.S.C. § 103(a).

In rejecting claims 29 and 34 the Examiner further relied upon Perell. The Examiner has not asserted, nor do we find, that Perell teaches or suggests a feature of enabling e-mail notification of an event that changes an association between a customer and an agent if the event is detected and the agent has enabled the e-mail notification as claimed. Accordingly, we

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will not sustain the Examiner's rejection of claims 29 and 34 under 35 U.S.C. § 103(a) for the reasons stated with respect to claim 1.

### CONCLUSION

We consider the Examiner's rejections of claims 1 through 34 under 35 U.S.C. § 103(a) to be in error as we do not find that the combination of the references teaches all of the limitations of independent claims 1, 6, 11, 16, 21, 26, and 32.

### ORDER

For the forgoing reasons, we will not sustain the Examiner's rejections under 35 U.S.C. § 103(a). The decision of the Examiner is reversed.

REVERSED

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